

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LP MATTHEWS, L.L.C.,)	
)	
Plaintiff,)	
)	
v.)	
)	C.A. No. 04-1507 (SLR)
BATH & BODY WORKS, INC.; LIMITED)	
BRANDS, INC.; KAO BRANDS CO.)	
(f/k/a THE ANDREW JERGENS)	
COMPANY); and KAO CORPORATION,)	
)	
Defendants.)	

THE KAO DEFENDANTS' NOTICE OF CROSS APPEAL

Please take notice that defendants Kao Corporation and Kao Brands Co. (f/k/a The Andrew Jergens Company) (collectively "Kao") cross appeal to the United States Court of Appeals for the Federal Circuit from the November 14, 2006 final judgment in their favor to the extent that it did not grant Kao's motion for summary judgment of non-infringement in its entirety and to the extent that it denied (1) Kao's motion for summary judgment of invalidity based upon a subsequent Board decision, (2) Kao's motion for summary judgment of invalidity based upon lack of written description and (3) Kao's motion to dismiss based upon lack of standing.

Respectfully submitted,

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Dated: December 27, 2006
769466 / 16138-788

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CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on December 27, 2006, the attached document was hand-delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading:

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